

1 THE HONORABLE JAMES L. ROBERT

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JERZY A. JASNOSZ,

11 Plaintiff,

12 v.

13 JD OTT COMPANY, INC.,

14 Defendant.

Case No. C09-952JLR

DECLARATION OF STEPHANIE P.
BERNTSEN IN SUPPORT OF J.D.
OTT'S MOTION FOR COSTS
PURSUANT TO FRCP 68

NOTE ON MOTION CALENDAR:
JUNE 24, 2011

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16 I, Stephanie P. Berntsen, declare:

17 1. I am an attorney of record for Defendant J.D. Ott Company, Inc. ("J.D. Ott")
18 in this matter. I am above the age of eighteen and am otherwise competent to provide
19 testimony. The following information is of my own personal knowledge, unless otherwise
20 indicated.

21 2. This matter was initially scheduled to commence on May 3, 2011. (Dkt #15).
22 Pursuant to Federal Rule of Civil Procedure 68, J.D. Ott served Plaintiff Jerzy A. Jasnosz
23 with an Offer of Judgment in the amount of \$21,000.00 more than fourteen days before the
24 date set for trial, on April 1, 2011. A true and correct copy of the Offer of Judgment is
25 attached hereto as **Exhibit A**.

26 3. Plaintiff did not accept the Offer of Judgment.

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SUPPORT OF J.D. OTT'S MOTION FOR COSTS
PURSUANT TO FRCP 68 - 1

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of June, 2011, I caused to be served the foregoing
DECLARATION OF STEPHANIE P. BERNTSEN on the following party at the following
address:

Jerzy A. Jasnosz
1756 NW 61st St.
Seattle, WA 98107

by:

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | U.S. Postal Service, ordinary first class mail |
| <input type="checkbox"/> | U.S. Postal Service, certified or registered mail, |
| <input type="checkbox"/> | return receipt requested |
| <input checked="" type="checkbox"/> | hand delivery |
| <input type="checkbox"/> | facsimile |
| <input type="checkbox"/> | electronic service |
| <input checked="" type="checkbox"/> | other (specify) <u>Available for Pick Up at Schwabe Williamson & Wyatt</u> |

/s/ Farron D. Lennon